

FILED '09 JAN 10 09 22 USDC ORP

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

TUDOR DELCEY,

Plaintiff,

v.

A-DEC, INC., an Oregon corporation,

Defendant.

Civil Case No. 05-1728-PK

O R D E R

Daniel Snyder
Matthew Lackey
1000 S.W. Broadway, Suite 2400
Portland, Oregon 97205

Attorneys for Plaintiff

Paul Buchanan
P.K. Runkles-Pearson
Stoel Rives, LLP
900 S.W. Fifth Avenue, Suite 2600
Portland, Oregon 97204

Attorneys for Defendant

KING, Judge:


The Honorable Paul Papak, United States Magistrate Judge, filed Findings and Recommendation on December 5, 2007. Defendant filed timely objections to the Findings and Recommendation.

When either party objects to any portion of a magistrate's Findings and Recommendation concerning a dispositive motion or prisoner petition, the district court must make a de novo determination of that portion of the magistrate's report. 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b); McDonnell Douglas Corp. v. Commodore Business Machines, Inc., 656 F.2d 1309, 1313 (9th Cir. 1981), cert. denied, 455 U.S. 920 (1982). This court has, therefore, given de novo review of the Summary Judgment rulings of Magistrate Judge Papak.

This court ADOPTS the Findings and Recommendation of Magistrate Judge Papak dated December 5, 2007 in its entirety.

IT IS HEREBY ORDERED that A-Dec's Motion for Summary Judgment (#31) is GRANTED IN PART and DENIED IN PART.

DATED this 9 day of January, 2008.


GARR M. KING
United States District Judge